

REMARKS

The Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-4 are now pending in this application.

The Applicants wish to thank the Examiner for the careful consideration given to the claims.

Rejection of claims 1-4 as being unpatentable over Warhus in view of Konishi.

The PTO rejected claim 1-4 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 1,925,423 (“Warhus”) in view of U.S. Patent Application Publication 2002/0096984 (“Konishi”). For at least the following reasons, this rejection is traversed.

Claim 1 has been amended to include the feature “wherein the carbon-based heating element does not interrupt light rays from the light source to the lens.” This feature is supported by FIG. 1 of the present application.

As an initial matter, it should be noted that the heating element of the present invention can be mounted apart from the lens and in a position where the heating element does not interrupt light rays from the light source to the lens since the carbon-based heating element radiates a great quantity of energy in the infrared to far-infrared regions and has a high heating efficiency. (page 2, lines 17-19 of the present application.)

In contrast, the coils 16 of Warhus are located in close proximity to the lens 7'. (lines 75-76 and Fig. 5 of Warhus.) Warhus depicts the coil disposed in such a fashion that it interrupts the light rays from the light source to the lens. (Figs. 1-2 and 4-5 of Warhus.) Thus, Warhus does not meet all the features of claim 1. The teachings of Konishi does not cure the deficiencies of Warhus. Therefore, the subject matter of claim 1 is not rendered unpatentable over any combination of Warhus and Konishi.

Claims 2-4 are also not rendered unpatentable for at least the same reason as claim 1 from which they depend.

For at least these reasons, reconsideration and withdrawal of the rejection is respectfully requested.

The Applicants believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.


The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, the Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date February 23, 2006

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5571
Facsimile: (202) 672-5399

By 

for Harold C. Wegner *Matthew Mulkeen*
Attorney for the Applicants *44, 250*
Registration No. 25,258